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## BEGINNERS

## A Case Chronology

**The email address,  
info@starklaw  
library.org really  
works! TRY IT!!**

### **The Case Chronology**

**Another great use  
for your  
spreadsheet  
software program!**

Along with your “Cast of Characters” from last month, a very useful database would be a “Case/Fact Chronology.”

A fact chronology can play a pivotal role on developing a hard-hitting case.

The advantages are numerous:

Just getting a fact down on paper helps crystallize it;

A chronology stimulates insights into the dispute underlying a case;

It makes it far easier to see which facts help your case and which hurt it;

It helps you identify the facts that need clarification, or sources that will allow you to use them in court; and

A chronology eases communication with clients and trial team members, since everyone works from the same set of facts.<sup>1</sup>

The following is a set of chronology “best practices.”

1. Use database software. Instead of printing a chronology that lists every fact, you can filter the chronology down to “print just those facts that are particularly important, that bear on a special

issue or that mention a certain witness.”<sup>2</sup>

2. Start the day you start the case. By starting right away, you don’t have to memorize or manipulate facts in your head and you will be able to take a copy to your second client meeting to detect misconceptions, provide sources for disputed facts, and impress the client.
3. Make your chronology a list of facts, not documents. As you read each document in your case, select the critical facts as a series of discrete items, whether they are court-acceptable or not. Include non-acceptable facts as a challenge then brainstorm possible sources that will prove them.
4. Use your chronology to replace separate deposition summaries. As you enter each “fact,” include columns for the “source” - including the deposition’s name, volume, page and line number where the fact can be found; “disputed status” (include by which party) - you can use this as a source of facts for pretrial motions or motions for summary judgment; “linked issues” - so that later you can filter out just the facts that relate to a specific issue; whether or not the fact is “court-acceptable”;

## A Cast of Characters (Continued)

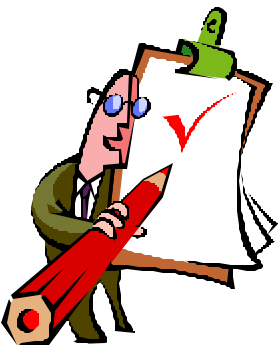
“evaluation” - you can use good, bad, indifferent, or critical, and later filter down to just those facts that are particularly harmful or helpful.

5. Use “fuzzy” dates. Most database software will allow you to enter a question mark for that portion of the date you are unsure of, for example, use 1/?/03 or ?/?/03 etc. Later you can filter the dates that need more research and fill in what is questioned. Also, include important facts that do not have dates associated with them - they are still facts! Microsoft Access will not allow fuzzy dating, so just leave the date column blank.
6. Refer to one person, organization or document by one name! Use your Cast of Characters from last

month to standardize the names, nicknames, or aliases for each key player in order to gain consistency for filtering.

Ways to use your chronology may include:

1. Organizing the facts for your examination of adverse witnesses;
2. Filtering the disputed facts to try to obtain admissions regarding them during depositions;
3. Printing a mini-chronology for each issue then brainstorm for other facts that bear on this issue or facts you wish you had, then add them to the chronology with a list of possible sources;
4. Using your chronology at settlement conferences to show why the facts back your view of the case. <sup>3</sup>



## Intermediate

## Filling Out Forms

If you routinely have a lot of forms to fill out there are some good products available that do a pretty good job, but learning a few Adobe tricks is better.

First the packaged programs...

- There is OmniForm <<http://www.scansoft.com/omniform/>> While OmniForm is very useful when you are the one who created the form, it doesn't work well when used to fill out forms published by third parties.

- PaperPort's FormTyper <<http://www.scansoft.com/paperport/pro/screenshots.asp>>, Form Pilot <<http://www.colorpilot.com/typewriter.html>>
- and Form Filler <[http://www.hexatech.com/form\\_filler.htm](http://www.hexatech.com/form_filler.htm)> are all better than OmniForm because they scan and manipulate third party documents. To my knowledge they don't have the ability to store the form as a template - which is where Acrobat excels.

## INTERMEDIATE      Filling Out Forms (Continued)

Now, here is how to get the most out of Acrobat. First of all you must start out with Adobe Acrobat's FULL version. First scan the form in PDF format. Then use the "Form Tool" to draw fillable areas in the form. Enter any recurrent information in the form, like name and address, phone number, e-mail address etc. Then "SAVE" that form to be used as a template.

Now you can use the template again and again as long as you use

"SAVE AS" to save each case-specific form to the folder for the case. (This will leave your template intact and unchanged for use with your next case).

Then you can e-mail the forms to your clients who can fill out more of the forms even if they do not have the full version of Acrobat. If the form needs a "real" signature, your client can fill out the form, print it out, sign, then fax or rescan the form.



## ADVANCED      Blue Screen of Death

What is the "Blue Screen of Death?" The Webopedia defines it as:

An error that can appear on computers running in a Windows' environment. This includes even the earliest versions of Windows such as Windows 3.0 and 3.1, and still occurs in later versions such as Microsoft Windows 95, Windows 98, Windows NT, and Windows 2000 beta. Jokingly called the blue screen of death because when the error occurs, the screen turns blue, and the computer almost always freezes and requires rebooting.<sup>4</sup>

Basically, what has happened is that you have encountered a "Fatal Exception Error." (Doesn't sound quite as bad as the blue screen of death, but neither is good for Micro-

soft's PR) A Fatal Exception Error occurs when a Windows application has encountered a problem it can't handle, and it "passes the buck" up to ever higher layers in the operating system until eventually Windows itself cries "Uncle!" and you've got a Fatal Exception Error AND unless you are very good about saving your work periodically, you have probably wasted some time and thought (and for some of us, that is the worst part - trying to remember what we did 5 minutes ago!)

After you reboot, what should you do to curtail its reappearance?

Step One is to write down the error message the BSoD offers you.

Step Two is to go to Microsoft's

## INTERMEDIATE      Filling Out Forms (Continued)

“What Are Fatal Exception Errors” page at <<http://support.microsoft.com/default.aspx?scid=kb;EN-US;150314>>. If you need more help, enter the error message into Microsoft’s Knowledge Base at <<http://support.microsoft.com/default.aspx>>.

Other good sources of help include:

- The “Newbie Organization’s First Aid” section offers some very good advice at <<http://www.newbie.org/firstaid/index.html>>.
- About.com has a good article on troubleshooting at: <<http://windows.about.com/library/weekly/aa030599.htm>>.

## FOOTNOTES

<sup>1&2</sup> Krenhel, Greg. “Face Facts: Make the Most of Your Case Chronology.” *The Vindicator*, Spring 2002, at 11.

<sup>3</sup> Krenhel, Greg. “Litigation Practice: Chronology Best Practices.” LawCommerce.com. 2001-2002. LawCommerce, Inc. 11 April 2003. <[http://www.lawcommerce.com/litigation/art\\_chron\\_practices.asp](http://www.lawcommerce.com/litigation/art_chron_practices.asp)>

<sup>4</sup> “Blue Screen of Death.” Webopedia. 2003. Jupitermedia Corporation.. 16 April 2003. <[http://www.webopedia.com/TERM/b/blue\\_screen\\_of\\_death.html](http://www.webopedia.com/TERM/b/blue_screen_of_death.html)>

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